

Notice of Allowability

Application No.

10/697,195

Examiner

Thanh K Truong

Applicant(s)

DREBING ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Application filed October 30, 2003.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 06082004.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. James P. Krueger on June 8, 2004.

The application has been amended as follows:

2. The following paragraph has been inserted on page 1, after the Title and before the Field of the Invention:

CROSS-REFERENCE TO RELATED APPLICATIONS

This application is a continuation of U.S. Ser. No. 10/633,751, filed on August 4, 2003, now abandoned, which is a divisional application of U.S. Ser. No. 09/815,457, filed on March 23, 2001, now abandoned.

3. The following changes to the drawings have been approved by the examiner and agreed upon by applicant:

Figure 5 – to include reference numbers 10 and 38.

Figure 33 – to include reference number 82.

Figure 35 – to include reference numbers 12 and 30.

Figure 38 – to include reference number 16.

In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

4. Claim 1 has been replaced by the following claim:

1. An automated system for slicing meat and placing the sliced meat in stack into a package therefor, the system comprising:

a slicing station including a chub slicer for slicing a chub of predetermined size from a larger preformed log of meat having axially spaced ends prior to being fed to the slicer, the predetermined chub size having an axial length smaller than that of the log and substantially corresponding to that of a predetermined amount of meat to be placed in a compartment of the package;

a chub harping station including spaced harping blades and a chub advancement mechanism, the harping station receiving chubs from the slicing station with the chubs pushed past the blades with a predetermined amount of force via the chub advancement mechanism to form a predetermined number of stacked meat slices from the chub so that the stacked meat slices are formed from the log by two slicing stages in the slicing station and the chub harping station; and

a stack insertion station for receiving the stacked meat slices from the harping station and including a stack guide that substantially maintains control over the stack of meat slices for automated transfer thereof into the package compartment.

Claims 9-15 have been cancelled.

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5. The following is an examiner's statement of reasons for allowance: the combination of slicing station including a chub slicer for slicing a chub of predetermined size from a larger preformed, a chub harping station including spaced harping blades and a chub advancement mechanism, the harping station receiving chubs from the slicing station with the chubs pushed past the blades so that the stacked meat slices are formed from the log by two slicing stages in the slicing station and the chub harping station, and a stack insertion station for receiving the stack meat slices from the harping station. The combination as set forth in the claims are not disclosed, taught, or suggested in the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh K Truong whose telephone number is (703) 605-0423. The examiner can normally be reached on Mon-Thurs from 8:00 AM to 6:30 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi I Rada can be reached on (703) 308-2187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

tkk

June 8, 2004.



SCOTT A. SMITH
PRIMARY EXAMINER